

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, SEPTEMBER 21, 2016**

PRESENT: Peter F. Murphy, Springfield District
Frank A. de la Fe, Hunter Mill District
James R. Hart, Commissioner At-Large
Ellen J. Hurley, Braddock District
John C. Ulfelder, Dranesville District
James T. Migliaccio, Lee District
Julie M. Strandlie, Mason District
Earl L. Flanagan, Mount Vernon District
Karen Keys-Gamarra, Sully District

ABSENT: Kenneth A. Lawrence, Providence District
Janyce N. Hedetniemi, Commissioner At Large
Timothy J. Sargeant, Commission At-Large

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The meeting was called to order at 8:17 p.m. by Chairman Peter F. Murphy in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Chairman Murphy announced Commissioner Strandlie's appointment by Governor McAuliffe to the Advisory Board on Service and Volunteers and congratulated her on behalf of the Commission.

Chairman Murphy announced that the Commission's Land Use Process Review Committee would meet at 7 p.m. in the Board Conference Room of the Fairfax County Government Center on Thursday, September 22, 2016, to discuss garages.

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SE 2015-DR-027 – MAHLON A. BURNETTE, III AND MARY H. BURNETTE

(Start Verbatim Transcript)

Commissioner Ulfelder: Thank you, Mr. Chairman.

Chairman Murphy: I missed you.

Commissioner Ulfelder: We were scheduled to hold a public hearing this evening on a special exception in – a lot width waiver, special exception in Great Falls, SE – well, so we're going to delay that at the request, the public hearing, at the request of the applicants. So, I MOVE THAT SE 2015-DR-027, MAHLON AND MARY BURNETTE, BE MOVED TO A DATE OF OCTOBER 19TH, 2016.

Commissioner Migliaccio: Second.

Chairman Murphy: Seconded by Mr. Migliaccio. Is there a discussion? All those in favor of the motion to move the public hearing on 2,000 – SE 2015-DR-027, to a date certain of October 19th, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Migliaccio.

Commissioner Hart: Mr. Chairman.

Chairman Murphy: Oh, yes?

Commissioner Hart: On that one, if I could be recorded as not voting. I'm going to recuse myself when we get to it, but we haven't gotten to the public hearing yet, so.

Chairman Murphy: Okay.

The motion carried by a vote of 8-0-1. Commissioner Hart abstained. Commissioners Hedetniemi, Lawrence and Sargeant were absent from the meeting.

(End Verbatim Transcript)

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RZ 2016-LE-006/SE 2016-LE-002 – PMG MID ATLANTIC, LLC

(Start Verbatim Transcript)

Commissioner Migliaccio: Thank you, Mr. Chairman. I have one deferral this evening. It is due to an affidavit issue. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING FOR RZ 2016-LE-006 AND SE 2016-LE-002, ON BEHALF OF PMG MID ATLANTIC, LLC, TO A DATE CERTAIN OF OCTOBER 26TH, 2016.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Discussion? All those in favor of the motion to – to defer the public hearing on RZ 2016-LE-006 and SE 2016-LE-002, to a date certain of October 26th, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 9-0. Commissioners Hedetniemi, Lawrence and Sargeant were absent from the meeting.

(End Verbatim Transcript)

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PCA 95-Y-016-06/SEA 95-Y-024-06 – COSTCO WHOLESALE CORPORATION

(Start Verbatim Transcript)

Commissioner Keys-Gamarra: Yes, Mr. Chair. I have a deferral as well. I MOVE THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING FOR PCA 95-Y-016-06 AND SEA 95-Y-024-06, TO A DATE CERTAIN OF OCTOBER 19TH, 2016.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of the motion? All those in favor of the motion to defer PCA 95-Y-1 [sic] – 016-06 and SEA 95-Y-024-06, with – it's Costco Wholesale Corporation – to a date certain of October 19th, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 9-0. Commissioners Hedetniemi, Lawrence and Sargeant were absent from the meeting.

(End Verbatim Transcript)

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PFM AMENDMENT – CHAPTER 4, EXPANSIVE SOILS AND SLOPE STABILITY
(Countywide) (The public hearing was held on September 15, 2016)

(Start Verbatim Transcript)

Commissioner Hart: Mr. Chairman?

Chairman Murphy: Mr. Hart.

Commissioner Hart: Thank you. In just a moment I am going to have two motions. I am going to have a motion to reconsider and a – and a revote. We have to have a do-over of the recommendation that we did on the PFM Amendment last week after the – after we had gone home, I found out from staff the motion had the wrong date in it. So, this is the meeting following that so we do – we would do a motion to reconsider so we can vote again with the correct date. So, with that explanation, unless there is any questions, Mr. Chairman I MOVE THAT WE RECONSIDER THE RECOMMENDATION ON THE AMENDMENT TO THE PUBLIC FACILITIES MANUAL, CHAPTER 4, EXPANSIVE SOILS AND SLOPE STABILITY.

Commissioner de la Fe: Second.

Chairman Murphy: Seconded by Mr. de la Fe. Is there a discussion? All those in favor of the motion to reconsider, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Hart.

Commissioner Hart: Thank you, Mr. Chairman.

Commissioner Strandlie: I was not here.

Chairman Murphy: Okay, Ms. Strandlie abstains.

Commissioner Hart: We need seven votes, so one, two, three – okay.

Chairman Murphy: No, we are okay.

Commissioner Hart: Mr. Chairman, I MOVE, WITH THAT EXPLANATION, THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THE BOARD ADOPT THE PROPOSED AMENDMENT TO CHAPTER 4 OF THE PUBLIC FACILITIES MANUAL, AS SET FORTH IN THE STAFF REPORT DATED JULY 26TH, 2016, AND I FURTHER MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD THAT THE PROPOSED AMENDMENT SHALL BECOME EFFECTIVE AT 12:01 A.M. ON NOVEMBER 2, 2016.

Commissioner Migliaccio: Second.

Chairman Murphy: Seconded by Mr. Migliaccio. Is there a discussion of that motion? All those in favor of the motion, as articulated by Mr. Hart, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Ms. Strandlie abstains.

The motions carried by a vote of 8-0-1. Commissioner Strandlie abstained. Commissioners Hedetniemi, Lawrence and Sargeant were absent from the meeting.

(End Verbatim Transcript)

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ORDER OF THE AGENDA

Secretary Hart established the following order of the agenda:

1. RZ/FDP 2015-HM-013/SEA 94-H-049-02 – WIEHLE STATION VENTURES, LLC
2. PCA 84-P-114-04/SEA 84-P-129-04 – ARDEN COURTS – FAIR OAKS OF FAIRFAX VA, LLC
3. SEA 2006-LE-030 – PMIG 1009, LLC

This agenda was accepted without objection.

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RZ/FDP 2015-HM-013 - WIEHLE STATION VENTURES, LLC
– Appls. to rezone from I-3 to PRM to permit mixed use development with an overall Floor Area Ratio (FAR) of 2.5 and approval of the conceptual and final development plan. Located N. of Sunrise Valley Dr., E. of Association Dr., and W. of Commerce Park Dr., on approx. 3.34 ac. of land. Comp. Plan Rec: Transit Station Mixed-Use. Tax Maps 17-4 ((12)) 11B and 11 D9 (part); 17-4 ((33)) C; and 17-4 ((33)) 110-535. (Concurrent with SEA 94-H-049-02.) HUNTER MILL DISTRICT. PUBLIC HEARING.

SEA 94-H-049-02 - WIEHLE STATION VENTURES, LLC –
Appl. under Sect. 9-618 of the Zoning Ordinance to amend SE 94-H-049, previously approved for an increase in FAR to permit deletion of land area. Located at 11490 Commerce Park Dr., and 1913 Association Dr., Reston, 20191, on approx. 3.34 ac. of land zoned I-3. Tax Maps 17-4 ((12)) 11B and 11 D9 (part); 17-4 ((33)) C; and 17-4 ((33)) 110-535. (Concurrent with RZ/FDP 2015-HM-013.) HUNTER MILL DISTRICT. PUBLIC HEARING

Mark Looney, Cooley LLP, Applicant's Agent, reaffirmed the affidavit dated August 12, 2016.

There were no disclosures from the Commission.

Laura Arseneau Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of applications RZ/FDP 2015-HM-013 and SEA 94-H-049-02.

Mr. Looney said that this proposal was for a new residential building which was the first phase of development to fill-in three surfaced parking lots. In addition, he noted that the applicant would provide three park areas, a 9 foot wide cycle track on the north side of Sunrise Valley Drive, to aid circulation for bicycles, and an 8 foot wide concrete sidewalk with separate pedestrian crosswalks across Commerce Park Drive. Mr. Looney explained that staff had requested more trees within the streetscape along Sunrise Valley Drive which the applicant would provide with the exception of some gap areas due to the location of below grade utilities that would be difficult to move.

Commissioners Flanagan and Migliaccio discussed with Mr. Looney the workforce dwelling units (WDU); wherein, Mr. Looney explained that the applicant was working with staff to determine what the unit mix would be and the building code requirements for universal design. He said that due to this being a rental building, all the units would need to be adaptable and have the same typical design so they could be rotated around as they become available.

Commissioner Migliaccio discussed with Mr. Looney the Park Authority contribution; wherein, Mr. Looney said that the applicant had proffered the full athletic field contribution along with an additional \$25,000 for additional park improvements. He said the applicant could not proffer the full amount for park improvements due to other commitments made with this development.

Commissioners Hart and Hurley discussed with Mr. Looney the park areas provided by the applicant; wherein, Mr. Looney explained that there would be a children's play area, parks with lawn areas available along Sunrise Valley Drive, and a number of existing sidewalks and trails throughout the Reston area to accommodate pets. He said there would be a total of three parks that would be owned and maintained by the applicant. Mr. Looney noted that Park 1, depicted on page 7 of the staff report, might be a truncated version due to a portion of the common area being owned by the nearby office building tenants. Mr. Looney said the applicant was in negotiations with those owners to determine if an easement, dedication, or land swap would be possible in order to construct the full park area the was being proposed.

Following up on Commissioner Migliaccio's previous question regarding the Park Authority contribution, Commissioner Ulfelder pointed out that the park areas being provided by the applicant were limited and in order for residents to engage in more active recreation they would

need to leave this site and use other larger county park facilities. Mr. Looney said that the applicant's athletic field contribution goes above the Park Authority's formula for contribution to the athletic fields and noted that not all of the open spaces were completely designed so the applicant would be willing to consider onsite fitness areas or other elements in addition to what was already being provided.

Commissioner Migliaccio noted that if Park 1 was truncated it would result in the applicant providing less than the 45 percent of open area that the Park Authority had requested; therefore, he suggested that the applicant contribute the full amount to the Park Authority if Park 1 was not built as originally intended.

In response to questions from Commissioner Strandlie, Mr. Looney said that the applicant had agreed to obtain Energy Star certification along with a Green Building Certification. He noted that it was included as part of the proffers.

Commissioner Flanagan commented that in Transit Oriented Developments (TOD), such as this one, it was preferable to have taller buildings which would yield more open space thereby allowing applicants to fully fund the Park Authority's request for open space. He then discussed with Mr. Looney the applicants request for a higher density without constructing a taller building; wherein, Mr. Looney explained that high-rise construction was more expensive to build and would cause the rents to be higher. He said that this proposal would provide a mixed-use in a higher density area by offering a range of housing types and price points in this area.

Chairman Murphy called the first listed speaker and recited the rules for testimony.

Mr. John Hawthorne, I.G.S. Limited Liability Company, 11495 Commerce Park Drive, Reston, spoke in opposition to this request because it would create a negative impact to his company. He explained that the development consisted of private roads which were made up of easements on different owner's properties and were maintained by an association. Mr. Hawthorne said that Commerce Park Drive was located on I.G.S. property and the proposed public assess easement would be an encouragement of going beyond the originally intended commercial development use of this property. He said that I.G.S. was concerned about the amount of public traffic and usage that would be generated by this use through a private easement.

There being no more speakers, Chairman Murphy called for a rebuttal statement from Mr. Looney, who stated that the applicant had met with the association and Mr. Hawthorne to address his concerns. He said this was a matter of property rights among private owners and would not affect the specific aspects of this request. Mr. Looney noted that the applicant was currently working with the various parties to come to an agreement but ultimately, the conclusion would be at the applicants own risk. Referring to Commissioner Migliaccio's earlier suggestion, Mr. Looney said the applicant agreed to incorporate in the proffers an increase in the

Park Authority's contribution in the event that Park 1 could not be completed as originally intended.

There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner de la Fe for action on this case.

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(Start Verbatim Transcript)

Commissioner de la Fe: Thank you, Mr. Chairman. Mr. Chairman, as – there are a couple of questions that have been raised that I think maybe we need to address before a decision is made and then there – there is one that has not been raised, but which I will mention now, which is my – was going to be my main reason for a deferral of the decision until next week, which is the Reston Road Fund contribution. If you read that proffer right now it is, it's a blank – blank, because nobody knows what it's going to be. Hopefully, according to the information I have, by late this week or early next week, certainly by the time we have to make a decision on this, there will be the final recommendations to the Board of Supervisors. Now, the Board of Supervisors probably will not make its decision until December or maybe early, like next year, so I don't think we can hold up all of these applications until then. But I think we can, at least, know a little bit better what the parameters of that road fund contribution would be. And it is my understanding that we should have that by next week with - sort of appropriate language, which isn't just blank – blank, in some way. So, given that Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION DEFER DECISION ONLY ON THESE APPLICATIONS, WITH THE RECORD REMAINING OPEN, UNTIL SEPTEMBER 29TH, 2016.

Commissioners Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of the motion? All those in favor of the motion to defer decision only on SEA 94-H-049-02, concurrent with RZ/FDP 2015-HM-013, to a date certain of September 29th, with the record remaining open for comments, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 8-0. Commissioner Keys-Gamarra was not present for the vote. Commissioners Hedetniemi, Lawrence and Sargeant were absent from the meeting.

(End Verbatim Transcript)

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Since the following case was in the Springfield District, Vice Chairman de la Fe assumed the chair.

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PCA 84-P-114-04 - ARDEN COURTS - FAIR OAKS OF FAIRFAX VA, LLC – Appl. to amend the proffers for RZ 84-P-114, previously approved for housing for the elderly, to permit medical care and assisted living facilities with associated modifications to proffers and site design with no change in the overall approved Floor Area Ratio (FAR) of 0.25. Located at 12469 Lee Jackson Memorial Hwy., Fairfax, 22033, on approx. 8.98 ac. of land zoned R-5, WS, and HC. Comp. Plan Rec: Residential 2-3 du/ac. Tax Map 45-4 ((1)) 6 B. (Concurrent with SEA 84-P-129-04.) SPRINGFIELD DISTRICT. PUBLIC HEARING.

SEA 84-P-129-04 - ARDEN COURTS - FAIR OAKS OF FAIRFAX VA, LLC – Appl. under Sect. 3-504 of the Zoning Ordinance to amend SE 84-P-129, previously approved for housing for the elderly, medical care, and assisted living facilities, to permit site modifications and modification of development conditions. Located at 12469 Lee Jackson Memorial Hwy., Fairfax, 22033, on approx. 8.98 ac. of land zoned R-5, WS, and HC. Tax Map 45-4 ((1)) 6 B. (Concurrent with PCA 84-P-114-04.) SPRINGFIELD DISTRICT. PUBLIC HEARING.

Mark Viani, Esquire, Applicant's Agent, Bean, Kinney & Korman, P.C., reaffirmed the affidavit dated May 2016.

There were no disclosures by Commission members.

Carmen Bishop, Zoning Evaluation Division, Department of Zoning and Planning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of applications PCA 84-P-114-04 and SEA 84-P-129-04.

Mr. Viani said that this proposal was for an existing assisted living facility that would expand its building by adding two new bed areas to each of the four wings and an additional 147 parking spaces. He said the new additions would blend in with the current architecture as well as providing new landscaping. Mr. Viani noted that the adjacent communities had cited an issue with parking along a shared service drive on Lee Jackson Memorial Highway; therefore, the applicant agreed to post signs inside the facility identifying it as a "no parking area" and would work with the Fairfax County Department of Transportation to post additional signage along the service drive. Mr. Viani noted that the Health Care Advisory Board was in support of the application.

Commissioner Murphy discussed with Mr. Viani the applicant's reason for the previous deferral; wherein, Mr. Viani explained that in order to address citizens' concerns over the parking in this area the applicant had agreed to two additional development conditions which addressed the posting of prohibited parking on the service drive and the maximum number of employees per shift and residents allowed in the memory care facility. He cited the specific circumstances which would allow the applicant to combine or add additional spaces noting that there was flexibility in the design along with land area to achieve this if needed.

Vice Chairman de la Fe called the first listed speaker and recited the rules for testimony.

Christina Phillips, Fair Oaks Green Homeowners Association, 4101 Oak Village Landing, Fairfax, spoke in support of the application and reiterated the issue with illegal parking along the service drive which made it unsafe for school buses to get by. She said their community would work with the applicant to obtain additional signage for a safer community.

There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Vice Chairman de la Fe closed the public hearing and recognized Commissioner Murphy for action on this case.

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(Start Verbatim Transcript)

Commissioner Murphy: Thank you very much. Mr. Viani, would you please, for the record, confirm your agreement to the proposed development conditions dated September 6th, 2016?

Mark Viani, Bean, Kinney & Korman, Applicant's Agent: We confirm that.

Commissioner Murphy: Okay, thank you very much. Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA 84-P-114-04, SUBJECT TO THE EXECUTION OF THE PROFFERS CONSISTING WITH THOSE DATED AUGUST 19TH, 2016.

Commissioner Hart: Second.

Vice Chairman de la Fe: Seconded by Mr. Hart. Any discussion? Hearing and seeing none, all those in favor please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries.

Commissioner Murphy: Mr. Chairman, I MOVE THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA 84-P-129-04,

SUBJECT TO THE DEVELOPMENT CONDITIONS DATED September 16th, 2 –
SEPTEMBER 6TH, 2016.

Commissioner Hart: Second.

Vice Chairman de la Fe: Seconded by Mr. Hart. Any discussion? Hearing and seeing none, all those in favor please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries.

Commissioner Murphy: Mr. Chairman, I FURTHER MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE MODIFICATION OF THE TRANSITIONAL SCREENING AND THE WAIVER – WAIVER OF THE BARRIER REQUIREMENTS OF SECTION 13-303 AND 304 OF THE ZONING ORDINANCE IN FAVOR OF THE LANDSCAPING SHOWN ON THE GDP/SEA PLAT AND AN INCREASE IN FENCE HEIGHT ABOVE SEVEN FEET, PURSUANT TO PARAGRAPH 3H OF SECTION 10-104 OF THE ZONING ORDINANCE TO PERMIT AN EIGHT FOOT FENCE – HIGH FENCE, AS SHOWN ON THE GDP/SEA PLAT.

Commissioner Hart: Second.

Vice Chairman de la Fe: Seconded by Mr. Hart. Any discussion? Hearing and seeing none, all those in favor please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries.

The motions carried by a vote of 8-0. Commissioner Keys-Gamarra was not present for the vote. Commissioners Hedetniemi, Lawrence and Sargeant were absent from the meeting.

(End Verbatim Transcript)

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Chairman Murphy resumed the chair.

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SEA 2006-LE-030 - PMIG 1009, LLC – Appl. under Sects. 4-604, 7-607, and 9-505 of the Zoning Ordinance to amend SE 2006-LE-030, previously approved for a service station/ mini-mart, to permit

modification of site design and development conditions for a service station, quick-service food store, and car wash in a Highway Corridor Overlay District. Located at 5500 Franconia Rd., Alexandria, 22310, on approx. 37,000 sq. ft. of land zoned C-6, HC. Tax Map 81-4 ((1)) 71 C and 71 G (part). LEE DISTRICT. PUBLIC HEARING.

Keith Martin, Esquire, Applicant's Agent, Tramonte, Yeonas, Roberts & Martin, reaffirmed the affidavit dated May 31, 2016.

There were no disclosures by Commission members.

Kelly Posusney, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of application SEA 2006-LE-030.

Mr. Martin said the applicant agreed with staff's analysis of the proposal and noted the support of the Lee District Land Use Committee. He said the applicant was aware of concerns recently raised by an adjacent business owner and that the development conditions addressed the issue of access to that facility. Mr. Martin said the applicant was willing to meet with the owner to further discuss and address any additional concerns.

Commissioner Migliaccio announced that he would defer the decision only on this application at the end of the public hearing in order for the applicant to work with the adjacent business owner.

Commissioner Ulfelder and Mr. Martin discussed the applicant's request for a modification to increase the canopy lighting; wherein, Mr. Martin explained that the applicant had requested a modification in order to address customer safety. He said that due to concerns raised by staff, the applicant would comply with the Zoning Ordinance requirement of 30 foot candles or less in the canopy area.

Chairman Murphy called the first listed speaker and recited the rules for testimony.

Gene Taylor, Adventure Concepts, LLC dba Shadowland Corporation, 5508 Franconia Road, Alexandria, cited his concerns with the application as the following:

- Removal of the green space between businesses that currently functions as a buffer;
- Removal of the fence between the applicant's property and his parking lot because it would create a safety issue for his customers; and
- Removal of the second entrance into the gas station, off of Franconia Road, because it would generate additional traffic into the easement which was Shadowland's main entrance.

In addition, he stated a concern over the progression of construction and questioned if it would involve closing sections of the easement off and how customers would be directed through the area. Mr. Taylor said the proposed design plan was a better option than what currently existed but he thought it could be further improved to make it safer with better traffic flow for all of their customers.

Commissioners Migliaccio, Flanagan and Hurley discussed with Ms. Posusney how the fuel trucks would enter, exit and maneuver within the site; wherein, Ms. Posusney explained that the trucks would enter the gas station from the Franconia Road entrance and proceed through the applicant's lot to access the pumps. She said that because the trucks could not pull under the lighting canopies it would require them to back up into the easement in order to turn around to exit the site. Ms. Posusney said that specific hours for deliveries could be added to the development conditions in order to minimize impact to the surrounding area. During the deferral period, Commissioner Hurley requested staff to clarify how much space the trucks would have to maneuver on the site.

Commissioner Hart asked staff how the easement would be impacted during the construction phase. Ms. Posusney deferred to Mr. Martin, who said that the rights to the easement were shared; therefore, the applicant would be required to maintain continuous access for traffic during the construction.

In response to questions from Commissioner Flanagan regarding the canopy lighting's impact on the nearby residential neighborhood, Ms. Posusney said that the Zoning Ordinance required transitional screening and a barrier when it abuts a residential area. She said that the applicant had provided a 17 foot buffer and proposed a 4 foot masonry wall to help alleviate any lighting impact from vehicle headlights and the canopy lighting. Commissioner Migliaccio noted that several neighbors had voiced concern over the canopy lighting at the Lee District Land Use Committee meeting and noted his preference for the foot candles to remain as depicted in the staff report.

There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Migliaccio for action on this case.

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(Start Verbatim Transcript)

Chairman Murphy: Public hearing is closed. Mr. Migliaccio.

Commissioner Migliaccio: Thank you, Mr. Chairman. We have a few meetings to go on this. Therefore, I MOVE THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR SEA 2006-LE-030, TO A DATE CERTAIN OF OCTOBER 19TH, 2016.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of the motion? All those in favor of the motion to defer decision on this application, LE 2000 – SEA 2006-LE-030, to a date certain of October...

Commissioners Migliaccio and Hart: 19th.

Chairman Murphy: ...19th, with the record remaining open for comment, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 8-0. Commissioner Keys-Gamarra was not present for the vote. Commissioners Hedetniemi and Lawrence were absent from the meeting.

(End Verbatim Transcript)

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The meeting was adjourned at 09:58 p.m.
Peter F. Murphy, Chairman
James R. Hart, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office, 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Teresa M. Wang

Approved on: March 29, 2017



John W. Cooper, Clerk
Fairfax County Planning Commission